

### **REMARKS**

Claims 1-20 are pending with claims 1, 12, and 17 being independent. Claims 12, 17, and 19 have been amended. Reconsideration and allowance of this application are requested in view of the amendments and the following remarks.

### **Drawings Objections**

An objection was made to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(4). In particular, the objection states that reference characters 105, 305, 405, 505, and 605 are used to designate a client system, reference characters 125, 325, 425, 555, and 655 are used to designate a client controller, reference characters 120, 320, 420, 520, and 620 are used to designate a client device, reference characters 150, 350, 450, 550, and 650 are used to designate communication pathways, reference characters 110 and 210 are used to designate a host system, reference characters 135 and 235 are used to designate a host device, reference characters 140 and 240 are used to designate a host controller, and reference characters 150 and 255 are used to designate communication pathways. The objection is respectfully traversed.

Each of Figs. 1-6 stands on its own, and each represents a separate implementation. In each of Figs. 1-6, only one reference character is used to designate a given part. For example, in the implementation of Figure 1, a client system is designated by reference character 105. In implementation of Figure 3, a client system is designated by reference character 305. As explained in the specification at page 8, lines 20-23, "the client system 305 . . . typically [has] . . . attributes comparable to those described with respect to client systems 105 and 205 . . . of Figs. 1 and 2." In implementation of Figure 4, a client system is designated by reference character 405. As explained in the specification at page 11, lines 11-14, "the client system 405 . . . typically [has] . . . attributes comparable to those described with respect to client systems 105, 205, and 305 . . . of Figs. 1-3." In implementation of Figure 5, a client system is designated by reference character 505. As explained in the specification at page 17, lines 4-7, "the client system 505 . . . typically [has] . . . attributes comparable to those described with respect to client systems 105, 205, 305, and 405 . . . of Figs. 1-4." In implementation of Figure 6, a client system is designated

by reference character 605. As explained in the specification at page 22, lines 4-7, "the client system 605 . . . typically [has] . . . attributes comparable to those described with respect to client systems 105, 205, 305, 405 and 505 . . . of Figs. 1-5."

The other reference characters included in the drawing objection are similarly situated. In each case, the reference characters are being used to designate different parts. Therefore, the reference characters that are the subject of the objection are proper because multiple reference characters are not being used to designate the same part.

Therefore, it is respectfully requested that the objection to the drawings be withdrawn.

### **35 U.S.C. § 112 Rejection**

Claims 12, 17, and 19 were rejected under 35 U.S.C. § 112 as being indefinite. This rejection is obviated by the present amendment to claims 12, 17, and 19. In particular, claims 12, 17, and 19 have been amended to provide remove the rejection due to insufficient antecedent basis.

### **35 U.S.C. § 102(e) Gottlieb Rejection and 35 U.S.C. § 103(a) Gottlieb/Killcommons Rejection**

Claims 1-3, 6-17, and 20 were rejected as being anticipated by Gottlieb.

Applicant requests withdrawal of these rejections. Applicant submits that the rejection of claims 1-3, 6-17, and 20 are overcome by the submission of the attached Declaration under 37 C.F.R. §1.131 of inventor Mark Donner.

As established by the Declaration, the inventions recited in claims 1-3, 6-17, and 20 were reduced to practice prior to February 29, 2000, which is the filing date of the Gottlieb patent. Therefore, Gottlieb does not qualify as statutory prior art under § 102 with respect to claims 1-3, 6-17, and 20. It is respectfully requested that the rejection of claims 1-3, 6-17, and 20 be withdrawn.

Claims 4, 5, 18, and 19 were rejected as being obvious over Gottlieb in view of Killcommons. As established by the Declaration, the inventions recited by claims 4, 5, 18, and

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19 also were reduced to practice prior to the February 29, 2000 filing date of Gottlieb. As such, Gottlieb is not statutory prior art as to the features of claims 4, 5, 18, and 19. Furthermore, as indicated above, Gottlieb is not statutory prior art as to claims 1 and 17 upon which claims 4, 5, 18, and 19 depend. Yet, Gottlieb was relied upon for disclosing at least the features of claims 1 and 17. Inasmuch as Gottlieb does not qualify as prior art, the proposed combination of Gottlieb with Killcommons provides an improper basis for a rejection of claims 4, 5, 18, and 19 under §103. Consequently, it is respectfully requested that the rejection of claims 4, 15, 18 and 19 be withdrawn.

Enclosed is a \$950.00 check for the Petition for Extension of Time fee. Please apply any other charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

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